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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOHN D. HALTIGAN,

Plaintiff,

v.

MICHAEL V. DRAKE, in his official
capacity as President of the University of
California; CYNTHIA K. LARIVE, in her
official capacity as Chancellor of UC Santa
Cruz; BENJAMIN C. STORM, in his official
capacity as Chair of the UC Santa Cruz
Psychology Department; and KATHARYNE
MITCHELL, in her official capacity as Dean
of the UC Santa Cruz Division of Social
Sciences,

Defendants.

No. 5:23-cv-02437-EJD

**MOTION TO DISMISS APPEAL
WITHOUT PREJUDICE**

Judge: Hon. Edward J. Davila

1 Pursuant Fed. R. App. Proc. 42(a), Plaintiff moves to dismiss without prejudice
2 the pending appeal to the 9th Circuit Court of Appeals. The appeal has not yet been
3 docketed by the 9th Circuit. Plaintiff intends to file Notice of Intent to Rest on
4 Complaint, and file a new appeal on the final judgment.

5
6 DATED: December 17, 2024.

7 Respectfully submitted,

8 JOSHUA P. THOMPSON
9 WILSON C. FREEMAN*
JACK E. BROWN*

10 By /s/ Wilson C. Freeman
11 WILSON C. FREEMAN*
12 *Attorneys for Plaintiff*

13 **pro hac vice*
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CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2024, Opposing Counsel received the foregoing MOTION TO DISMISS APPEAL via CM/ECF service.

By /s/ Wilson C. Freeman
WILSON C. FREEMAN

Attorney for Plaintiff